GENIUS
Beyond the Law

Confessions of A Professional Black Sheep

Henry Tufts was a thief not from necessity, but because a dissolute lifestyle appealed to him. In his own way he pursued excellence at his trade with a passion worthy of Ben Franklin. by Jay Stevens

– Painting by John Jude Palencar

IN 1807 AN ASPIRING PRINTER FROM DOVER, NEW HAMPshire, published a memoir entitled *A Narrative of the Life, Adventures, Travels and Sufferings of Henry Tufts.* It was a charmingly bizarre document — charming because of its rococo style, full of French quotations and classical allusions; bizarre because of its subject, for Henry Tufts was not a gentleman or a scholar, but the greatest horse thief and all-around knave that colonial New England ever produced.

Knave, as a descriptive term, has fallen out of favor in our century, as have *blackguard, villain, scoundrel, scapegrace, rogue,* or *rascal.* But Henry Tufts revivifies all these words. And in the process he illuminates a period of our national history that too often has been obscured by the larger-than-life presences of a Jefferson, a Franklin, or a family of Adamses. The fact is that for every Nathan Hale, there were at least two Henry Tufts wandering the back lanes of Revolutionary America.

When George Washington complained of the sunshine soldiers who "consume your provisions, exhaust your stores, and leave you at last at a critical moment," he was talking about Henry, who spent his Revolution enlisting, deserting, and then dodging the bounty hunters who pursued deserters. When Samuel Breck wrote about the poor malefactors who were bound to the red whipping post that sat in the middle of State Street, Boston's busiest thoroughfare, he might have been describing Henry, who was whipped frequently in his apprentice years as a thief. When the scholars of colonial America note the fact that approximately one third of all children born were illegitimate, they are saluting the romantic exertions of Henry, a backwoods Casanova. In his 83 years he managed to juggle three official wives, several unofficial ones, and a number of extracurricular engagements that ended shy of the altar. He fathered 13 acknowledged children and untold others usually mentioned in an aside as his reason for quitting such and such a town.

Timothy Dwight, a contemporary who went on to become president of Yale, had Henry in mind when he wrote: "These men cannot live in regular society. They are too idle; too talkative; too passionate; too prodigal; and too shiftless to acquire either property or character. Finding all their efforts vain, they become at length discouraged: and then under the pressure of poverty, the

Henry, Sr., despairing of his son, disinherited him. Whereupon Henry, Jr., stole his father's horse and sold it for $30.

fear of a gaol, and consciousness of public contempt, leave their native places, and betake themselves to the wilderness."

Henry Tufts became a member of this vagabond class by inclination, not birth. By birth he was a Boston blueblood, somewhat diluted. His grandfather, Harvard class of 1701, had been an ordained minister in Boston until his death in 1723, "leaving a good report behind and a name free of reproach." His father, also named Henry, had been an apprentice tailor before moving to New Market, New Hampshire, where he had married, bought a small farm, and had four children, one of whom was Henry, Jr., born in June 1748.

Henry describes his childhood as a happy, well-behaved one, exhibiting "none of those characteristic marks of a depraved disposition which were so fully developed in my riper manhood." His "genius," as he called it, began to bloom when he was only 14, manifesting itself in raids on neighboring orchards and chicken coops, exploits that most were willing to overlook as youthful high spirits. But then he stole some money from a neighbor, was caught, and publicly disgraced.

Henry, Sr., despairing of his son, disinherited him. Whereupon Henry, Jr. stole his father's horse and sold it for $30.

It is significant, given his ancestry, that Tufts chose horses as his specialty: like treason, horse-stealing was a gentleman's crime, which may simply be another way of saying that the reward/risk ratio appealed to those who aspired toward the finer things in life. And Henry enjoyed life's pleasures. Had he been European, he would have made a fine dandy. More than once he squandered his loot on brocade waistcoats, gold watches, and flashing rings. But sartorial extravagance was impractical when one had to flee along muddy cart tracks, or sleep in haymows, or, as he did once, in a family tomb. Henry usually acquired his clothes from the clotheslines that crossed his path. If his shoes gave out, he watched for a cobblery. When his purse ran low he stole a horse.

Henry would steal a horse and ride it to exhaustion, then steal another, tire that one out, then another. By nightfall he would be dozens of miles away, leaving his pursuers, if there were any, to sort out his redistribution of horseflesh. In his memoirs he mentions more than 50 separate incidents of horse theft, which brought him, on

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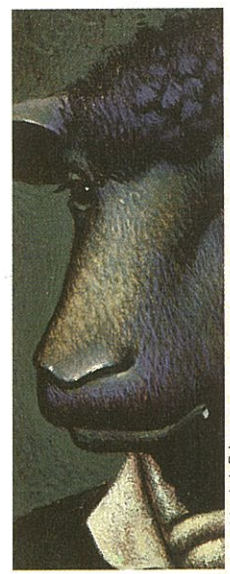

– John Jude Palencar

average, a profit of $30-$50. He boasted that he could identify any horse just by the way it crunched its hay. And in his saddlebags he carried a collection of paints that he wielded with such artistry that on one occasion the owner, overtaking Henry on a narrow lane, didn't even recognize his horse.

Once a wealthy individual with a valuable but well-guarded horse bet him that he couldn't steal it. Henry procured a quart of rum and added a liberal amount of opium. Then, impersonating a man who had lost his own mount to that rascal Henry Tufts, he proceeded to drug the guards, and once they were "encircled in the arms of Morpheus," renewed the "pleasure of finding myself on a fine horse." Another time, threatened with prosecution unless he retrieved an animal he had swiped from a neighbor, Henry agreed to lead the man to where he had sold it and steal it back. Unfortunately he couldn't find the animal in question. Improvising, he stole a horse for each of them, but by then the alarm had sounded. The punishment was 35 lashes with a cat-o'-nine-tails.

Henry was no stranger to the jails of New England. "Horrid mansions" was his name for them, though most were ramshackle structures in need of constant upkeep. His introduction to them came when he was still in his teens, when a pregnant girlfriend had him arrested after he broke his promise to marry her. But that was a mere peccadillo — $10 got the charges dropped. His first serious imprisonment occurred a year or so later in the territory of Maine, where he had been working as a hired man. There Henry had met his first criminal tutor, a man named Dennis, and together they had broken into and stripped a village store clean. This was a serious offense, as burglars sometimes received the death penalty. Captured within 24 hours, they were lodged in the Portland jail.

It took considerable begging, but finally the jailer consented to let them have a fire. Henry subsequently burned the jail to the ground.

It was freezing. It took considerable begging, but finally the jailer consented to let them have a fire. Henry subsequently burned the jail to the ground. He had been trying to scorch a neat escape hole in the cell wall, but the place went up like paper, nearly incinerating Henry and Dennis. It was Henry's impression that some of the Portland taxpayers, who had turned out in a futile attempt to save the building, were sorry to see them alive.

Securely manacled, they were marched toward the

York jail. But Dennis managed to break his chains while the sheriff was occupied at a roadside tavern, leaving Henry to face their punishment alone. Expecting a whipping or worse, Henry was surprised when the shopkeeper he had robbed interceded and offered him a deal: sail to the West Indies with the man's brother, with all wages reverting to the shopkeeper, and the charges would be dropped. Tufts wisely agreed. Escorted by the shopkeeper, he set out for Newburyport, Massachusetts, where the ship was docked. He escaped as soon as his guardian stopped at a tavern for refreshment.

A few months later, after another unsuccessful robbery, Henry ended up in the jail in Essex, New Hampshire, chained to a staple in the floor. This time his punishment was 25 lashes and a fine, in lieu of which he and his new accomplice, Smith, would be sold as indentured servants. But when Henry was put up for sale, no one would bid.

Returned to the Essex jail, Henry brought along a drill that had been slipped to him by a friend. Systematically he began weakening the wall, stuffing bread in the holes. When Smith, in the cell above, learned of his imminent escape, he begged Henry to tell him how he was going to do it.

"With the help of the Devil," Henry whispered, "who is always at my beck and call."

The Foul Fiend was a tangible presence in 18th-century America, enough so that Smith treated this claim seriously. Perhaps he had even heard the rumors, still floating around southern New Hampshire a generation later, that old Mrs. Tufts had been a witch. In any case he asked Henry to intercede on his behalf.

"If you will follow my directions, you may leave when I do," Henry assured him.

At the appointed hour, Smith was to throw all his clothes out the window, wait ten minutes, and then chant:

Come in, old man, with the black ram,
And carry me out as fast as you can.

That night, while the gullible Smith was mumbling his spell, Tufts knocked a hole in the outside wall, collected his partner's clothes, and disappeared into the dark.

It is evident from his memoirs that Tufts derived enormous pleasure from his deceptions. He thought himself brighter than his fellow (CONTINUED ON PAGE 194)

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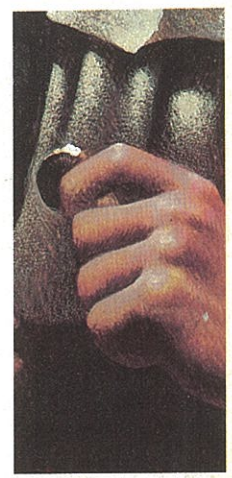

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CONFESSIONS OF A PROFESSIONAL BLACK SHEEP

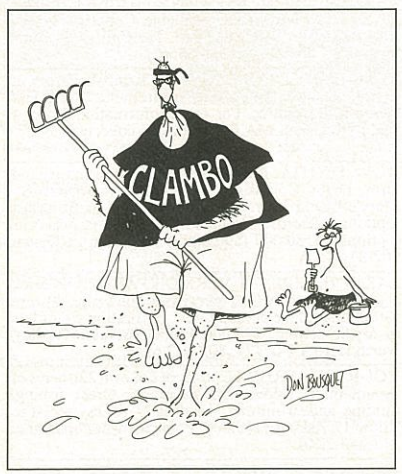
(continued from page 141)

colonials, and he probably was. He was a thief not from necessity (at least initially), but because a rambling, dissolute life-style appealed to him. In his own way he pursued excellence at his nefarious trade with a passion worthy of Ben Franklin.

"The science of deception had ever been my favorite study," he tells us, meaning not just the disguising of horses, but the creation of roles that embodied his extravagant sense of self. To ease the pressure of constantly having to steal, Henry concocted a number of elaborate masquerades. Sometimes he posed as an Indian herbalist, other times as a Puritan preacher, still others as a soothsayer.

Actually, masquerade might be a trifle harsh for Henry's career as a herbalist. For three years he had studied the herbal arts with the Algonquin Indians of Sudbury, Maine, accompanying the warriors on hunting expeditions and romancing Polly Susap, a niece of Chief Tumkin Hagen.

Regarding this affair he writes: "I successfully prosecuted my amour with aforesaid beautiful Savage, who now supplied to me the place of a wife, though without the fashionable appellation. By her unwearied condescensions she rendered my abode, in this unpleasant wilderness, much more tolerable."



Pressed to marry Polly and join the tribe, Henry stalled, which was uncharacteristic of him. Perhaps the fact that the Algonquins punished infidelity by cutting off the offender's nose had something to do with it. Or maybe it was their way of dealing with thieves: thongs were threaded through the unfortunate's wrists and he was left dangling from a tree to die.

Henry left the Indian village in May 1775, after assuring the Susaps that he would return posthaste once he had settled certain business interests. He took with him a store of herbal knowledge and "a habit of indolence, that unfitted me for laborious employments."

He emerged from the woods just as the Revolution was beginning. "Being by nature volatile and prone to novelty," he felt "strongly impelled to become acquainted with military life."

George Washington's army was essentially a guerrilla force living off a land that was anything but fat. Food was so scarce that a man of Henry's talents was invaluable. If any of the locals arrived at the camp to complain about their missing pigs and chickens, his captain allowed them to be driven off with snowballs.

It was not until his third two-month enlistment, while building a fort near Boston, that Henry finally came under hostile fire. The experience was so disagreeable that it brought a temporary halt to his military career.

What followed was probably his most audacious dodge. Henry was famous for his talent for mimicry. Having had ample time over the years to observe the forensic techniques of those other back-road wanderers, the clergy, Henry decided to try passing himself off as a minister. He purchased a black suit and rode off for the Kennebec territory of Maine, "not daring to exhibit any religious pretenses near home."

His first sermon, delivered extempore from the middle of the congregation, was a sensation. As the last thunder of sin and hellfire faded from his lips, the local parson leaped to his feet and proclaimed Henry "a heaven-born saint." At this a young woman stood and protested that before entering the church this heaven-born saint had eyed her from head to toe "in such a carnal way and manner, that I perceived he had the devil in his heart."

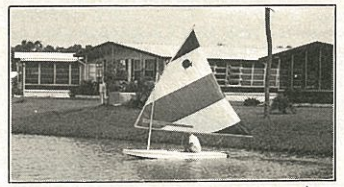
She was right, of course, but Henry's aura of sanctity overwhelmed the girl's accusation. Henry went home with the parson for an evening of theological disputation. It was the start of a brilliant impersonation. Neighboring congregations clamored for an appearance by Parson Tufts; the wealthy vied for private audiences. Henry's purse bulged with gratuities. Never had he made the kind of money he made preaching. Tiring of Maine, he traveled to Connecticut, where he achieved comparable success.

Nothing was too trivial to tempt his larcenous soul, however. Once he stole a dog and sold it for a few shillings. When he rode away the dog followed. Recognizing his luck, Henry proceeded to sell the dog three more times.

Concealed in his shoes were skeleton keys, augers, tiny saws; in his saddlebags were a variety of paints for disguising stolen horses, plus several sets of cork horseshoes covered with leather to muffle their hooves; and under his ponytail was a small bag of vials, vitriol, and *aqua fortis,* which he used to burn through iron.

If anything ruled Henry it was restlessness. When the Continental Congress offered a bonus for anyone who enlisted for three years, Henry signed on. He lasted his usual time, which was two months, and then deserted. He was caught and imprisoned, escaped, was recaptured, and escaped again.

Henry quit New England and traveled to Virginia, where he found work as the overseer on a slave plantation. It comes as no surprise to find him boasting that under his "strenuous management" the plantation flourished. But his real attraction was the owner's sole heir, a magnetic young lady "of easy access and winning deportment." Tufts was preparing to marry her and spend the rest of his life foxhunting, when by chance a Lieutenant Mooney arrived at the plantation and rec-



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ognized him as Private Tufts, wanted for desertion from the Continental Army. Henry paid Mooney a bribe to forget what he had seen, but it was time to move on.

One effect of the Revolution was an increase in the transient population — displaced Tories, deserters from both armies, freebooters, and debtors. It was a treacherous milieu, but one Henry moved through like the old pro he was.

Of all the characters Henry encountered during this period of his life, the most important, historically, was the British spy he met in Claremont, New Hampshire, at Spencer's tavern. As tavern accommodations were seldom luxurious, the two found themselves sharing a mattress for the night. The man confessed to being a British agent assigned to circulate counterfeit money. Never one to hold a man's politics against him, Tufts accepted $1,000 in bogus bills, which he promptly squandered on horses, clothes, and women.

Nostalgia had brought Henry to Claremont. When he was 23 he had spent a few months there working on Enoch Judd's farm, and, neglecting to mention that he was already married, had wed Enoch's oldest girl Sally. But inevitably the day had come when Enoch learned that his son-in-law was a bigamist; Henry had fled that very night, narrowly escaping the old man's wrath. Now, over a decade later, he was hoping to renew the relationship. But Sally's attitude toward her former husband was abusive, and Henry rode off to Lee, New Hampshire, to visit his first wife, the long-suffering Lydia Bickford.

Henry had married Lydia when he was 22 and thereafter his visits were infrequent but fertile. She bore him nine children. In the early days it was his wanderlust that had taken him away; now a lengthy stay was too risky, owing to the number of outstanding warrants for his arrest. Passing through Lee, Henry moved on to Berwick, Maine, where he began wooing a young widow named Abigail who "riveted my affection in a manner which no other woman had hitherto been able." Like Sally Judd she soon discovered the truth. Pregnant and furious, she had Henry arrested. He was released only after signing an agreement to pay damages equal to £40, but as soon as his feet touched free ground he informed Abigail's negotiators that the contract was illegal, since he had obviously signed under duress (one of the byproducts of a criminal career was a working knowledge of the legal system). He wouldn't pay a penny. But he would do right by "the delight of my eyes," and as a pledge of his undying love, Henry purchased a farm in Fairfield, Connecticut, which was to be their new home. Loading Abigail and her belongings into a cart, he stopped in Lee to pick up some personal belongings from a friend. There he ran into an irate Lydia, who chased after the cart, screaming threats.

Tufts posed as a farmer in Fairfield. While he was away on one of his "rambles," a man named Dow arrived with a sheriff and accused Henry of stealing his horse. Henry arrived home to find his farm seized and Abigail fighting off a group of men who were intent on raping her. In the melee a man was stabbed. And once again Henry had to flee for his life.

Only twice in his memoirs does Henry indulge in the pangs of self-doubt. The first time occurs during a surreptitious visit to his brother's farm in Lee. He is hoping to visit Lydia and the children when a gang of men arrive to arrest him. Bolting through the window, he flees into the woods, where he listens to his pursuers beating the undergrowth. It is in this melancholy posture that he begins to brood over the "infelicity" of his career.

"Is it possible," he asks himself, "after such a series of enormities, to re-establish my credit or reputation?" He concludes that such a conversion would be "too unpromising, too arduous even to attempt, much less accomplish." Lying there, he realizes he feels "a disinclination for every laudable pursuit, and a disposition to travel on in my former dissolute course."

The second, more serious crisis of con-

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science came in the aftermath of Henry's dramatic flight from Fairfield. Relocating Abigail and their four children to Marblehead, Massachusetts, Henry opened an apothecary where he sold herbal remedies. It was there, in the spring of 1793, that his dissolute course ran headlong into the judicial system. Charged with the possession of six stolen silver teaspoons (Henry claimed he had bought them from a passerby), he was arrested, imprisoned in Salem jail, convicted, and sentenced "to be hanged by the neck until dead." His trial was an occasion for airing the Tufts legend. All the old charges were resurrected. One was particularly weighty: on the eve of the battle of Lexington, while the rest of the citizenry had been busy exchanging plows for muskets, Henry had been robbing a store.

He was removed to Ipswich to await his appointed hour (August 14, 1795) on the gallows. While there, Henry received at least two visitors who hoped to profit from this calamity. The first was a physician — "sunshine sat upon his person, honey distilled from his lips" — who tried to buy his skeleton for two guineas, followed by a newspaperman who offered him $70 for the exclusive rights to his life story. Abigail, meanwhile, was working tirelessly on his behalf. As a result of her efforts, petitions for clemency arrived on Governor Samuel Adams's desk from "the young gentlemen of Harvard" and the "Ladies of Ipswich."

On the morning of his execution, Henry watched the gravedigger pass with his pick and shovel. By noon the lanes of Ipswich were thronged with onlookers. But no order came for his removal. Abigail had won him a reprieve of a sort: henceforth he would spend the rest of his natural life confined to the Castle, the grim prison that sat on an island in Boston Harbor.

Abigail remained faithful to Henry, bringing him clothes and food and never losing hope that he would escape. Despite several attempts — once, covering himself with eelgrass, Henry almost managed to float away with the current — Tufts remained in prison for five years. When he finally did leave the Castle, in the autumn of 1798, it was only because the Commonwealth of Massachusetts had ceded the island to the federal government, and all convicts had to be removed to local jails.

Henry was remanded to the Salem jail, much to the dismay of the jailer, who had no desire to complicate his life with the likes of Tufts. Henry had barely settled in before the man was dropping hints that the ceiling timbers were structurally weak. Within a half hour Henry was a free man. He walked away "musing on the versatility of human affairs."

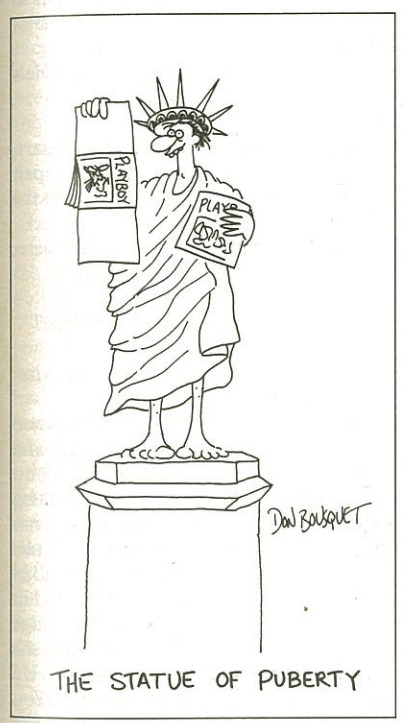
But Abigail was not there to greet him. Having despaired of ever gaining Henry's freedom, she had departed a few months earlier for Rockingham, Vermont, where her brother lived. Henry was eager to rejoin her, but before making the long journey west he stopped in Lee to visit his first family. He was amazed to find them prosperous. His two eldest boys, farmers, were the picture of "rural affluency," while the rest all had decent apprenticeships. Stay with Lydia, they urged their father, and we'll support you.

Henry was 52. Although grieved to think of abandoning "the woman who had followed my fortunes . . . cheerfully supplying my wants to the extent of her ability when I was deserted by every other person, not to mention that I had four children by her already and loved her unquestionably beyond all women upon earth," he lost no time in writing a letter severing his connection with Abigail.

He did his best to reform. He farmed, in a leisurely way, and he doctored. He even found religion of a sort by attending Quaker meetings. Only in the matter of sex did he experience relapses. There were too many "brisk young widows" for an old fox like Henry to enjoy celibacy.

In the spring of 1802 he disappeared with one of his medical patients, the 18-year-old daughter of a neighboring farmer. Like most attempts at retrieving youth, what followed was a farce. Within 36 hours his young lover was sleeping with a fellow traveler. In fact she slept with every man they met, a situation that left Henry stunned and shamed, but unable to extricate himself. "Living very sprucely on (his) professional earnings," they arrived in Hanover, where they were surprised in bed one morning by the girl's father and his friends. Henry was stripped of his baggage and his horse. He regretted the loss of the horse more than that of the girl.

It was his last fling. After that, he informs the reader, "I held my cup pretty upright." Perhaps recalling the newspaperman who had offered to buy his story, he began writing his memoirs. They appeared in 1807. According to legend, most of the copies were purchased by people named Tufts, and burned. □□



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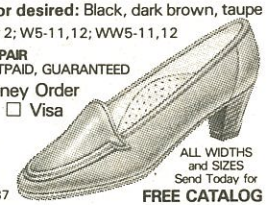

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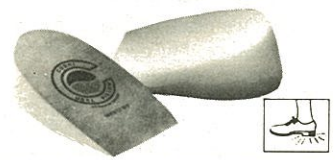

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